



<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b>		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		Application Number	09/885,945-Conf. #6219
		Filing Date	June 22, 2001
		First Named Inventor	Sanae Okuyama
		Examiner Name	M. R. Milia
		Art Unit	2622
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	SON-2132
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b>	<b>500.00</b>

**METHOD OF PAYMENT** (check all that apply)

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☒ Deposit Account   Deposit Account Number: 18-0013   Deposit Account Name: Rader, Fishman & Grauer PLLC

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**   **Extra Claims**   **Fee (\$)**   **Fee Paid (\$)**

\_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

**Multiple Dependent Claims**

**Fee (\$)**   **Fee Paid (\$)**

\_\_\_\_\_

**Indep. Claims**   **Extra Claims**   **Fee (\$)**   **Fee Paid (\$)**

\_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 _____ (round up to a whole number) x _____ = _____		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1402 Filing a brief in support of an appeal   **Fees Paid (\$)** 500.00

**SUBMITTED BY**

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**TRANSMITTAL OF APPEAL BRIEF**Docket No.  
SON-2132

In re Application of: Sanae Okuyama et al.

Application No.  
09/885,945-Conf. #6219Filing Date  
June 22, 2001Examiner  
M. R. MiliaGroup Art Unit  
2622Invention: CARD MAKING DEVICE, CARD MAKING METHOD AND RECORDING MEDIUM  
THEREOF**TO THE COMMISSIONER OF PATENTS:**Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal  
filed: May 15, 2006

The fee for filing this Appeal Brief is \$ 500.00

☒ Large Entity ☐ Small Entity☐ A petition for extension of time is also enclosed.

The fee for the extension of time is

☐ A check in the amount of is enclosed.☒ Charge the amount of the fee to Deposit Account No. 18-0013  
This sheet is submitted in duplicate.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge any additional fees that may be required or  
credit any overpayment to Deposit Account No. 18-0013  
This sheet is submitted in duplicate.

Dated: July 14, 2006

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Docket No.: SON-2132  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Sanae Okuyama et al.

Application No.: 09/885,945

Confirmation No.: 6219

Filed: June 22, 2001

Art Unit: 2622

For: CARD MAKING DEVICE, CARD MAKING  
METHOD AND RECORDING MEDIUM  
THEREOF

Examiner: M. R. Milia

**APPELLANT'S BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is an Appeal Brief under 37 C.F.R. §41.37 appealing the final decision of the Examiner dated December 15, 2005. Each of the topics required by 37 C.F.R. §41.37 is presented herewith and is labeled appropriately.

This brief is in furtherance of the Final Office Action on December 15, 2005.

A Notice of Appeal was filed in this case on May 15, 2006.

**I. REAL PARTY IN INTEREST**

Sony Corporation of Tokyo, Japan ("Sony") is the real party in interest of the present application. An assignment of all rights in the present application to Sony was executed by the inventor and recorded by the U.S. Patent and Trademark Office at **Reel 011936, Frame 0322**.

## **II. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

## **III. STATUS OF CLAIMS**

1-7. (Rejected)

## **IV. STATUS OF AMENDMENTS**

Subsequent to the final rejection of December 15, 2005, an Amendment After Final Action (37 CFR Section 1.116) has been filed on March 31, 2006. However, the Advisory Action mailed on April 13, 2006 denied entry of the Amendment.

No Amendment has been filed after the filing on March 31, 2006 of the Amendment After Final Action (37 CFR Section 1.116).

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

The following description is provided for illustrative purposes and is not intended to limit the scope of the invention.

The present invention relates to a card making device, card making method and a computer-readable programming medium for storing a program to execute card-making by computer, and related in particular to a card making device for making cards for game characters, a card making method and a computer-readable programming medium for storing a program to execute card-making by computer.

**Claims 1, 2, 4, 5** - Claim 1 includes *character data storage means for storing data character data consisting of data on said character appearing in the game*. The specification as originally filed at page 6, line 19 to page 7, line 4 provides that:

When specified conditions are satisfied during a game that is in progress such as winning a battle in the game, the character data extraction means 12 extracts data relating to a specified character stored in the character data storage means 13. The character data extracted here is a character satisfying specified conditions during the game, and for example is character data for a character such as the character victorious in the battle. The character data extracted in this way is displayed in sequence on the character selection screen 30 displayed in FIG. 2.

Claim 1 includes *character data extraction means for extracting said specified character data from said character data storage means*. The specification as originally filed at Figure 2, page 7, line 5 to page 7, line 14 provides that:

Character data 31a through 31c shown in the character data extracted by the character data extraction means 12 is displayed on the character selection screen 30. A cursor 35 for implementing the selection of this data is shown on any of the characters 31a through 31c. A select button 32 to click when selecting a selected character 31a through 31c, a cancel button 33 for canceling the selection of a character 31a through 31c, and an enter button 34 for entering the selected characters 31a through 31c are displayed together on the upper portion of the character selection screen 30.

Claim 1 provides for *character layout information input means for inputting card layout information specifying the card layout, said card layout here indicating a card layout for said character shown in said character data extracted by said character data extraction means*. The specification as originally filed at Figure 4, page 8, line 19 to page 9, line 4 provides that:

During card layout, the user clicks the desired edit buttons 52 through 58 to operate the card layout information input means 14, and positions the selected character 31a, the character name 51e of that character 31a, the parameters 51f, 51g and a feature description text 51d within the card frame 51a shown in the frame of the card

displayed on the card layout generation screen 50, rewrites the line 51b, 51c , performed by coloring these items. (Information specifying this kind of character card layout is defined as card layout information.)

Claim 1 provides for *card display image information generation means for generating card display image information showing a card display image where said character is positioned, said character here indicating a character shown in said character data extracted by said character data extraction means according to said layout information input by said card layout information input means*. The specification as originally filed at Figure 4, page 8, lines 6-17 provides that:

When the character display screen 40 is displayed, the user refers to the contents listed on that display and decides whether or not to make a card for the selected character 31a. Here, when the user selects card making by a method not shown in the drawing, the character data of the selected character 31a is sent to the card display image information generation means 15. The card display image information generation means 15 generates card display image information based on the character data that was sent.

The card display image information is generated in accordance with the card layout generation screen 50 shown in FIG. 4.

Claim 1 provides for *card display image information output means for outputting card display image information generated by the card display image information generation means to a printer*. The specification as originally filed at page 9, lines 5-14 provides that:

The card display image information generated in this way, is sent to the card display image information output means 16. Here, when the user wants to make a printing of the card displayed on the card layout generation screen 50, the card making device 10 is instructed to output a card by a means not shown in the drawing. The card display image information output means 16 therefore outputs this card display image information to the printer 20, and the printer 20 prints the contents of this card display image information on the printing paper.

**Claim 3** - Within claim 3, *said device further comprises a character selection means for selecting said character for said card making, and said character data of said character selected by said character selection means is extracted by said character data extraction means.*

The specification as originally filed at page 7, lines 15-24 provides that:

The user selects a desired character with the cursor 35 from among the characters 31a through 31c while referring to the character selection screen 30 shown as described above, and clicks the select button 32 to trigger the character selection means 11, and select the specified character 31a through 31c. The character 31a through 31c selected in this way, is displayed on a character display screen 40 whose features are shown in FIG. 3. The selection display screen 40 of FIG. 3 shows the screen when a character 31a has been selected.

**Claim 6** - The specification as originally filed at page 10, line 13 to page 11, line 18 provides that:

FIG. 6 is a flowchart showing the procedure for making the cards utilizing the card making device 10 of the embodiment.

[S1] As described above, when specified conditions are satisfied during a game, the card making device 10 extracts character data on a specific character from the character data storage means 13, and displays the extracted character on the character selection screen 30 as shown in FIG. 2. Here, the user selects character data on the specific, desired character.

[S2] Special features of the character selected in step S1 are shown in the character display screen 40 shown in FIG. 3.

[S3] The user selects by a means not shown in the drawings, whether or not to make a card for the character selected in step S1. The process here proceeds to step S4 when making a card. If not making a card, the process proceeds to step S8.

[S4] The user makes a card layout for the character selected in step S1 according to the card layout generation screen 50 shown in FIG. 4.

[S5] The user selects by a means not shown in the drawings, whether or not to make a printout of the card whose layout was performed in step S4. The process here proceeds to step S4 when making of a printout was selected. The process proceeds to step S7 if making a printout was not selected.

[S8] A printout of the card is made.

[S9] The user selects by a means not shown in the drawings, whether or not to redo the card layout. The process proceeds to step S4 when redoing the card layout was selected. The process proceeds to step S8 when redoing of the card layout was not selected.

[S8] The game is restarted.

**Claim 7** -The specification as originally filed at page 12, line 14 to page 13, line 6 provides that:

The processing functions of the card making device 10 can be implemented by a computer. In such cases, the information for all required processing possessed by the card making device 10 are on a program recorded in a recordable medium readable by a computer. The processing is then implemented by running the program on the computer. Devices such as a magnetic recording device or semiconductor memory device maybe utilized as the computer-readable recording medium. When obtaining by way of available market distribution means, the program may be distributed and stored on a portable type recording medium such as a CD-ROM (Compact Disk Read-Only Memory) or a floppy disk, the program can also be distributed and stored in the memory device of a computer connected by way of a network, and the program also sent to other computers by way of the network. To implement by computer, the program is stored in the hard disk within the computer, and implemented by loading the program into the main memory.



## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

The issues presented for consideration in this appeal are as follows:

Whether the Examiner erred in rejecting claims 1-7 under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,835,135 to Silverbrook et al. (Silverbrook).

This issue will be discussed hereinbelow.

## **VII. ARGUMENT**

In the Final Office Action of December 15, 2005:

The Examiner erred in rejecting claims 1-7 under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,835,135 to Silverbrook et al. (Silverbrook).

For at least the following reasons, Appellant submits that this rejection is both technically and legally unsound and should therefore be reversed.

### **Grouping of claims**

Claims 1-7 are currently pending in this application with claims 1, 6 and 7 being independent. For purposes of the issues presented by this appeal:

Claims 1, 2, 4, 5 stand or fall together.

Claim 3 stands or falls alone.

Claim 6 stands or falls alone.

Claim 7 stands or falls alone.

The arguments set forth in the following section provide reasons why these claims are considered patentable, 37 C.F.R. §41.37(c)(1)(vii).

**The Examiner erred in rejecting claims 1-7 under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,835,135 to Silverbrook et al. (Silverbrook).**

**Claims 1, 2, 4, 5** - The rejection of these claims is traversed at least for the following reasons.

Claim 1 is drawn to a card making device for making character cards wherein said card making device is comprised of the following means:

character data storage means for storing data character data consisting of data on said character appearing in the game;

character data extraction means for extracting said specified character data from said character data storage means;

character layout information input means for inputting card layout information specifying the card layout,

said card layout here indicating a card layout for said character shown in said character data extracted by said character data extraction means;

card display image information generation means for generating card display image information showing a card display image where said character is positioned,

said character here indicating a character shown in said character data extracted by said character data extraction means according to said layout information input by said card layout information input means; and

card display image information output means for outputting card display image information generated by the card display image information generation means to a printer.

**Silverbrook** - Silverbrook arguably teaches a video game console 1 comprising a printer module 2 and Digital Video Disk (DVD) player module 3 (Silverbrook at column 2, lines 38-41).

Silverbrook arguably teaches that the processor in turn utilizes memory 52 for standard video game functions and interacts with a print controller chip 53, which is also preferably housed with the high-end processor on PCB 11 within the printer module 2 (Silverbrook at column 2, lines 63-66).

Silverbrook arguably teaches a video game system enabling print on demand cards 56 (Silverbrook at column 3, lines 61-63).

Silverbrook arguably teaches that the brag cards can be personalised with the game players name, score, chosen character, accumulated wealth or objects, etc. (Silverbrook at column 3 line 67 to column 4, line 2).

Claim 1 includes *character data extraction means for extracting said specified character data from said character data storage means.*

The specification as originally filed at Figure 2, page 6, line 19 to page 7, line 14 provides that:

When specified conditions are satisfied during a game that is in progress such as winning a battle in the game, the character data extraction means 12 extracts data relating to a specified character stored in the character data storage means 13. The character data extracted here is a character satisfying specified conditions during the game, and for example is character data for a character such as the character victorious in the battle. The character data extracted in this way is displayed in sequence on the character selection screen 30 displayed in FIG. 2.

Character data 31a through 31c shown in the character data extracted by the character data extraction means 12 is displayed on the character selection screen 30. A cursor 35 for implementing the selection of this data is shown on any of the characters 31a through 31c. A select button 32 to click when selecting a selected character 31a

through 31c , a cancel button 33 for canceling the selection of a character 31a through 31c , and an enter button 34 for entering the selected characters 31a through 31c are displayed together on the upper portion of the character selection screen 30.

Nevertheless, Silverbrook fails to disclose, teach or suggest the extraction of specified character data from the memory 52. Instead, Silverbrook arguably teaches that the cards could also include a photographic likeness where the video game arrangement includes an optional image sensor 55 (Silverbrook at column 4, lines 3-5).

Moreover, there is no teaching within Silverbrook that the standard DVD game discs 10 store data on a character.

Silverbrook arguably teaches a video gaming console wherein a processor 51 utilizes memory 52 for standard video game functions and interacts with a print controller chip 53 (Silverbrook at column 2, lines 63-64).

Yet, there is no teaching within Silverbrook that the memory 52 stores data on a character.

Silverbrook arguably teaches that the DVD player module 3 is able to accept storage means in the form of standard DVD game discs 10 as is becoming popular in the industry (Silverbrook at column 2, lines 58-60).

Silverbrook arguably teaches that in use, the console is connected to a video device and a DVD 48 is inserted into the DVD player module 3 (Silverbrook at column 3, lines 54-53).

Silverbrook arguably teaches that the DVD player can be adapted to play standard DVD movies in addition to being configured to read CD-ROMs so as to provide information from encyclopaedias, maps etc provided by other CD-ROMs or DVD disks (Silverbrook at column 4, lines 7-10).

Silverbrook arguably teaches that images from DVD movies and information from such CD-ROM or DVD repositories can be printed out (Silverbrook at column 4, lines 11-13).

Nevertheless, there is no teaching within Silverbrook that the CD-ROMs or DVD disks store data on a character.

Silverbrook arguably teaches that additionally, although the preferred embodiment described is designed for optional use with non portable external display and control devices, the game storage medium, controls, game processor, screen, audio and printer may all be housed in the same housing, and this may be pocket sized if required (Silverbrook at column 4, lines 18-24).

Nevertheless, there is no teaching within Silverbrook that the game storage medium stores data on a character.

*Thus, Silverbrook fails to disclose, teach or suggest character data storage means for storing character data, said character data being data representing a character appearing in a game.*

In this regard, *Silverbrook also fails to disclose, teach or suggest character data extraction means for extracting said character data from said character data storage means.*

Claim 1 provides for *character layout information input means for inputting card layout information specifying the card layout, said card layout here indicating a card layout for said character shown in said character data extracted by said character data extraction means.*

The specification as originally filed at Figure 4, page 8, line 19 to page 9, line 4 provides that:

During card layout, the user clicks the desired edit buttons 52 through 58 to operate the card layout information input means 14, and positions the selected character 31a, the character name 51e of that character 31a, the parameters 51f, 51g and a feature description text 51d within the card frame 51a shown in the frame of the card displayed on the card layout generation screen 50, rewrites the line 51b, 51c, performed by coloring these items. (Information specifying this kind of character card layout is defined as card layout information.)

However, Silverbrook fails to disclose, teach or suggest character layout information input means for inputting card layout information specifying the card layout. Specifically, Silverbrook arguably teaches that the brag cards can be personalised with the game players name, score, chosen character, accumulated wealth or objects, etc. (Silverbrook at column 3 line 67 to column 4, line 2). Yet, character layout information input means for inputting card layout information specifying the card layout of the brag cards is absent from within Silverbrook.

Claim 1 provides for *card display image information generation means for generating card display image information showing a card display image where said character is positioned, said character here indicating a character shown in said character data extracted by said character data extraction means according to said layout information input by said card layout information input means*.

The specification as originally filed at Figure 4, page 8, lines 6-17 provides that:

When the character display screen 40 is displayed, the user refers to the contents listed on that display and decides whether or not to make a card for the selected character 31a. Here, when the user selects card making by a method not shown in the drawing, the character data of the selected character 31a is sent to the card display image information generation means 15. The card display image information generation means 15 generates card display image information based on the character data that was sent.

The card display image information is generated in accordance with the card layout generation screen 50 shown in FIG. 4.

Silverbrook arguably teaches that a video outlet port 50 is also provided for connection with standard video type devices as is common in the art (Silverbrook at Figure 11, column 2, lines 53-54).

However, Silverbrook fails to disclose, teach or suggest card display image information generation means for generating card display image information showing a card

display image where a character on the brag cards is positioned. In this regard, Silverbrook fails to associate the video outlet port 50 with the brag cards.

The Final Office Action contends Silverbrook contends that the DVD is a storage medium for storing the video game and all associated information regarding the video game (Final Office Action at paragraph 4). But even if this contention is true, this contention *fails* to account for the features that are absent from within Silverbrook.

The Final Office Action asserts that it is well-known in the art for a DVD to store all the necessary information to run the video game and information regarding characters, objects, and other such items associated with the game (Final Office Action at page 3).

But even if this assertion is true, this assertion *fails* to show that this *DVD to store all the necessary information to run the video game and information regarding characters, objects, and other such items associated with the game* was, indeed, known to the skilled artisan at the time the Appellant's invention was made.

Furthermore, the Final Office Action has failed to highlight any objective evidence in support of this assertion. Thus, this assertion is conclusory at best and insufficient to support a rejection based on anticipation under 35 U.S.C. §102.

The Final Office Action is adamant that the character information must be stored in some fashion to allow the user to choose the character that will be printed on the brag card and therefore, as shown by the reference of Silverbrook, the character data is stored on the DVD and extracted to print on the brag card when the user reaches a certain point in the game. (Final Office Action at paragraph 4).

In response, this viewpoint like others found within the Final Office Action is unsupported by any objective evidence and is merely a personal conclusion. Furthermore, this viewpoint includes an assumption that alleged character data found on the brag card of Silverbrook is stored in a DVD even in the absence of such a teaching within Silverbrook.

Also note the requirement that alleged character information in Silverbrook must be stored in some fashion is not taught by Silverbrook. But even if this contention is true, this

contention *fails* to show that the alleged character information that is stored is also found on the brag cards of Silverbrook.

**Claim 3** - The rejection of claim 3 is traversed at least for the reasons provided hereinabove with respect to claim 1 and for the following reasons.

Within claim 3, *said device further comprises a character selection means for selecting said character for said card making, and said character data of said character selected by said character selection means is extracted by said character data extraction means.*

The specification as originally filed at page 7, lines 15-24 provides that:

The user selects a desired character with the cursor 35 from among the characters 31a through 31c while referring to the character selection screen 30 shown as described above, and clicks the select button 32 to trigger the character selection means 11, and select the specified character 31a through 31c. The character 31a through 31c selected in this way, is displayed on a character display screen 40 whose features are shown in FIG. 3. The selection display screen 40 of FIG. 3 shows the screen when a character 31a has been selected.

The Final Office Action *fails to identify a reference number or structural element* within Silverbrook to be associated with a character selection means for selecting said character for said card making, and said character data of said character selected by said character selection means is extracted by said character data extraction means.

**Claim 6** - The rejection of claim 6 is traversed at least for the reasons provided hereinabove with respect to claim 1 and for the following reasons.

Claim 6 is drawn to a card making method for making a character card wherein said method is comprised the following processes:

a process to store character data consisting of data on said character appearing in the game, character data storage means storing said character data;



a process to extract said specified character data from said character data storage means;

a process to input card layout information specifying the card layout for said character shown in said extracted character data;

a process to generate card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

a process to output said generated card display image information to a printer.

The specification as originally filed at page 10, line 13 to page 11, line 18 provides that:

FIG. 6 is a flowchart showing the procedure for making the cards utilizing the card making device 10 of the embodiment.

[S1] As described above, when specified conditions are satisfied during a game, the card making device 10 extracts character data on a specific character from the character data storage means 13, and displays the extracted character on the character selection screen 30 as shown in FIG. 2. Here, the user selects character data on the specific, desired character.

[S2] Special features of the character selected in step S1 are shown in the character display screen 40 shown in FIG. 3.

[S3] The user selects by a means not shown in the drawings, whether or not to make a card for the character selected in step S1. The process here proceeds to step S4 when making a card. If not making a card, the process proceeds to step S8.

[S4] The user makes a card layout for the character selected in step S1 according to the card layout generation screen 50 shown in FIG. 4.

[S5] The user selects by a means not shown in the drawings, whether or not to make a printout of the card whose layout was performed in step S4. The process here proceeds to step S4 when making of a printout was selected. The process proceeds to step S7 if making a printout was not selected.

[S8] A printout of the card is made.

[S9] The user selects by a means not shown in the drawings, whether or not to redo the card layout. The process proceeds to step S4 when redoing the card layout was selected. The process proceeds to step S8 when redoing of the card layout was not selected.

[S8] The game is restarted.

Silverbrook fails to disclose, teach or suggest *a process to input card layout information specifying the card layout for said character shown in said extracted character data.*

In addition, Silverbrook fails to disclose, teach or suggest *a process to generate card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information.*

**Claim 7** - The rejection of claim 7 is traversed at least for the reasons provided hereinabove with respect to claim 1 and for the following reasons.

Claim 7 is drawn to a recording medium stored with a program implemented by computer, wherein said program on said medium executes the functions of:

storing character data consisting of data on said character appearing in the game, character data storage means storing said character data;

extracting said specified character data from said character data storage means;

inputting card layout information specifying the card layout for said character shown in said extracted character data;

generating card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

outputting said generated card display image information to a printer.

The specification as originally filed at page 12, line 14 to page 13, line 6 provides that:

The processing functions of the card making device 10 can be implemented by a computer. In such cases, the information for all required processing possessed by the card making device 10 are on a program recorded in a recordable medium readable by a computer. The processing is then implemented by running the program on the computer. Devices such as a magnetic recording device or semiconductor memory device maybe utilized as the computer-readable recording medium. When obtaining by way of available market distribution means, the program may be distributed and stored on a portable type recording medium such as a CD-ROM (Compact Disk Read-Only Memory) or a floppy disk, the program can also be distributed and stored in the memory device of a computer connected by way of a network, and the program also sent to other computers by way of the network. To implement by computer, the program is stored in the hard disk within the computer, and implemented by loading the program into the main memory.

Silverbrook fails to disclose, teach or suggest *a program on a medium that executes the function of inputting card layout information specifying the card layout for said character shown in said extracted character data.*

In addition, Silverbrook fails to disclose, teach or suggest *a program on a medium that executes the function of generating card display image information showing the card*

*display image placed with said character shown in said extracted character data, according to said input card layout information.*

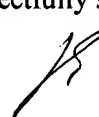
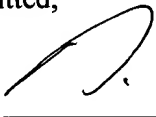
**Conclusion**

The claims are considered allowable for the same reasons discussed above, as well as for the additional features they recite.

Reversal of the Examiner's decision is respectfully requested.

Dated: July 14, 2006

Respectfully submitted,

By  

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**CLAIMS APPENDIX**

1 (Original) A card making device for making character cards wherein said card making device is comprised of the following means:

character data storage means for storing data character data consisting of data on said character appearing in the game;

character data extraction means for extracting said specified character data from said character data storage means;

character layout information input means for inputting card layout information specifying the card layout,

said card layout here indicating a card layout for said character shown in said character data extracted by said character data extraction means;

card display image information generation means for generating card display image information showing a card display image where said character is positioned,

said character here indicating a character shown in said character data extracted by said character data extraction means according to said layout information input by said card layout information input means; and

card display image information output means for outputting card display image information generated by the card display image information generation means to a printer.

2. (Original) A card making device according to claim 1, wherein said character data extraction means extracts said specified character data from said character data storage means when specified conditions in said game are fulfilled.

3. (Original) A card making device according to claim 1, wherein said device further comprises a character selection means for selecting said character for said card making, and said character data of said character selected by said character selection means is extracted by said character data extraction means.

4. (Original) A card making device according to claim 1, wherein said character data is comprised of said character special feature information showing image information for said character and special features of said character.

5. (Original) A card making device according to claim 4, wherein said character layout information is information specifying card layout information items showing features of said character shown in said character special feature information and in the card layout of the image shown in image information on said character.

6. (Previously presented) A card making method for making a character card wherein said method is comprised the following processes:

a process to store character data consisting of data on said character appearing in the game, character data storage means storing said character data;

a process to extract said specified character data from said character data storage means;

a process to input card layout information specifying the card layout for said character shown in said extracted character data;

a process to generate card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

a process to output said generated card display image information to a printer.

7. (Previously presented) A recording medium stored with a program implemented by computer, wherein said program on said medium executes the functions of:

storing character data consisting of data on said character appearing in the game, character data storage means storing said character data;

extracting said specified character data from said character data storage means;

inputting card layout information specifying the card layout for said character shown in said extracted character data;

generating card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

outputting said generated card display image information to a printer.

**EVIDENCE APPENDIX**

There is no other evidence which will directly affect or have a bearing on the Board's decision in this appeal.



**RELATED PROCEEDINGS APPENDIX**

There are no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.